

**WEDNESDAY, JANUARY 11, 2017**

**SECOND ORGANIZATIONAL DAY**

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

**RECOGNITION IN THE WELL**

Rep. McDaniel was recognized in the Well to introduced Bonnie Beecham, who sang “Amazing Grace.”

The proceedings were opened with prayer by David Beecham, First Pentecostal Church, Lexington, TN.

Representative McDaniel led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 93

Representatives present were Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lovell, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Hazlewood; personal

Representative Carter

Representative Alexander; illness

Representative Stewart

## PERSONAL ORDERS

### RECOGNITION IN THE WELL

Representative Weaver was recognized in the Well to introduce Ricky Skaggs who sang “Down to the River to Pray.”

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolutions listed were introduced and held on the Clerk’s desk pending the appointment of the appropriate standing committees:

**\*House Resolution No. 1** -- General Assembly, Confirmation of Appointment - Confirms the appointment of persons to the state university board of Tennessee State University. by \*Hawk, \*Casada, \*Love.

**\*House Resolution No. 2** -- General Assembly, Confirmation of Appointment - Confirms the appointment of persons to the state university board of the University of Memphis. by \*Hawk, \*Casada, \*Akbari, \*White M.

**\*House Resolution No. 3** -- General Assembly, Confirmation of Appointment - Confirms the appointment of persons to the state university board of Middle Tennessee State University. by \*Hawk, \*Casada.

**\*House Resolution No. 4** -- General Assembly, Confirmation of Appointment - Confirms the appointment of persons to the state university board of East Tennessee State University. by \*Hawk, \*Casada.

**\*House Resolution No. 5** -- General Assembly, Confirmation of Appointment - Confirms the appointment of persons to the state university board of Austin Peay State University. by \*Hawk, \*Casada, \*Johnson.

**\*House Resolution No. 6** -- General Assembly, Confirmation of Appointment - Confirms the appointment of persons to the state university board of Tennessee Technological University. by \*Hawk, \*Casada, \*Akbari.

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for January 12, 2017:

**House Joint Resolution No. 25** -- Memorials, Personal Occasion - Rep. Johnny Shaw, birthday. by \*Camper, \*Fitzhugh, \*Stewart, \*Akbari, \*Clemmons, \*Towns, \*Gilmore, \*Cooper, \*Thompson, \*Miller.

**House Joint Resolution No. 26** -- Memorials, Retirement - Vickie Koelman. by \*Johnson, \*Reedy, \*Pitts.

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**House Joint Resolution No. 27** -- Memorials, Retirement - Dr. B.J. Worthington. by \*Pitts, \*Johnson, \*Reedy.

**House Joint Resolution No. 28** -- Memorials, Sports - Robert White, Coach of the Year. by \*Sanderson.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 17** -- Elder Abuse - As introduced, expands the offense of aggravated stalking to include a person who commits stalking against a victim who is at least 65 years of age when the person stalking is 15 or more years younger than the victim. - Amends TCA Title 39, Chapter 17, Part 3 and Title 71, Chapter 6. by \*Reedy.

**\*House Bill No. 18** -- Drugs, Prescription - As introduced, prohibits a health benefit plan from denying coverage for a refill of prescription eye drops after certain time periods for a 30, 60, and 90-day supply of the drops. - Amends TCA Title 56. by \*Williams.

**\*House Bill No. 19** -- Motor Vehicles - As introduced, authorizes motorcycle dealers to obtain a temporary permit from the motor vehicle commission to offer to sell or sell motorcycles from a temporary site once per year. - Amends TCA Title 55, Chapter 17. by \*Pitts.

**\*House Bill No. 20** -- Taxes, Exemption and Credits - As introduced, changes the home value for which real property tax relief will be granted from \$100,000 to \$175,000 for veterans with disabilities and from \$23,500 to \$25,000 for low-income homeowners who are elderly or have disabilities. - Amends TCA Title 67, Chapter 5, Part 7. by \*Pitts.

**\*House Bill No. 21** -- Highway Signs - As introduced, authorizes DUI memorial signs for victims of accidents in which the intoxicated driver causing the accident was not convicted due to the driver dying as a result of the accident; requires a sign to be erected as soon as reasonably practicable for such a victim named in the act. - Amends TCA Section 54-5-1003 and Chapter 1039 of the Public Acts of 2016. by \*Pitts.

**\*House Bill No. 22** -- Local Education Agencies - As introduced, requires, beginning with the 2018-2019 school year, each LEA to offer students in each of its high schools the opportunity to take at least six early postsecondary credit courses. - Amends TCA Title 49. by \*Brooks H.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were held on the Clerk's desk pending appointment of appropriate standing committees:

**\*House Bill No. 1** -- Criminal Offenses -- Held On Desk

**\*House Bill No. 2** -- Motor Vehicles -- Held On Desk

**\*House Bill No. 3** -- Civil Procedure -- Held On Desk

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**\*House Bill No. 4** -- Probation and Parole -- Held On Desk

**\*House Bill No. 5** -- Taxes, Ad Valorem -- Held On Desk

**House Bill No. 6** -- Taxes, Sales -- Held On Desk

**\*House Bill No. 7** -- Criminal Procedure -- Held On Desk

**\*House Bill No. 8** -- Sentencing -- Held On Desk

**\*House Bill No. 9** -- Education, Higher -- Held On Desk

**House Bill No. 10** -- Judicial Districts -- Held On Desk

**\*House Bill No. 11** -- Weapons -- Held On Desk

**House Bill No. 12** -- Scholarships and Financial Aid -- Held On Desk

**\*House Bill No. 13** -- Taxes, Privilege -- Held On Desk

**\*House Bill No. 14** -- Transportation, Dept. of -- Held On Desk

**House Bill No. 15** -- Taxes, Exemption and Credits -- Held On Desk

**\*House Bill No. 16** -- Campaigns and Campaign Finance -- Held On Desk

**CONSENT CALENDAR**

**House Joint Resolution No. 1** -- Memorials, Sports - Shelley Kirk Lloyd, Columbia Academy Athletic Hall of Fame. by \*Butt.

**House Joint Resolution No. 2** -- Memorials, Sports - Neal Jackson, Columbia Academy Athletic Hall of Fame. by \*Butt.

**House Joint Resolution No. 3** -- Memorials, Personal Achievement - Nicholas Ray Moon, Eagle Scout. by \*Butt.

**House Joint Resolution No. 4** -- Memorials, Personal Achievement - Dawson Hammons, Eagle Scout. by \*Butt.

**House Joint Resolution No. 5** -- Memorials, Personal Achievement - Steven Connor Parks, Eagle Scout. by \*Butt.

**House Joint Resolution No. 6** -- Memorials, Personal Achievement - Timothy Holman, Eagle Scout. by \*Butt.

**House Joint Resolution No. 7** -- Memorials, Personal Achievement - John-Allen Stone, Eagle Scout. by \*Butt.

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**House Joint Resolution No. 8** -- Memorials, Personal Achievement - Jesse Dakota Penrod, Eagle Scout. by \*Butt.

**House Joint Resolution No. 9** -- Memorials, Personal Achievement - James Eddie Pratt, Eagle Scout. by \*Butt.

**House Joint Resolution No. 10** -- Memorials, Personal Achievement - Jacob Tolman, Eagle Scout. by \*Butt.

**House Joint Resolution No. 11** -- Memorials, Personal Achievement - Dalten William Hopson, Eagle Scout. by \*Butt.

**House Joint Resolution No. 12** -- Memorials, Personal Achievement - Billy Lee Clanton, Eagle Scout. by \*Butt.

**House Joint Resolution No. 13** -- Memorials, Personal Achievement - Benjamin Isaiah Trammell, Eagle Scout. by \*Butt.

**House Joint Resolution No. 14** -- Memorials, Personal Achievement - Alex Dial, Eagle Scout. by \*Butt.

**House Joint Resolution No. 15** -- Memorials, Personal Achievement - Timothy J. Baggett, Eagle Scout. by \*Butt.

**House Joint Resolution No. 16** -- Memorials, Personal Achievement - Joseph Lee Jacobs, Eagle Scout. by \*Butt.

**House Joint Resolution No. 17** -- Memorials, Personal Achievement - MacKenzie Plunkett, Eagle Scout. by \*Butt.

**House Joint Resolution No. 18** -- Memorials, Personal Achievement - Mikael Raymond Weber, Eagle Scout. by \*Butt.

**House Joint Resolution No. 19** -- Memorials, Personal Achievement - George Michael Huttick, Venturing Summit Award. by \*Butt.

**House Joint Resolution No. 20** -- Memorials, Professional Achievement - Dr. David Stephens, 2017 Superintendent of the Year. by \*Lollar, \*Coley, \*White M.

**House Joint Resolution No. 21** -- Memorials, Sports - Whitehaven High School, TSSAA Class 6A State Football Champions. by \*Camper.

**House Joint Resolution No. 22** -- Memorials, Death - Michael E. Anderson. by \*Camper.

**House Joint Resolution No. 23** -- Memorials, Recognition - Expresses appreciation and thanks to entities and persons providing assistance during the Smoky Mountain wildfires. by \*Carr, \*Farmer, \*Swann, \*Ramsey.

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Rep. Carr moved that all members voting aye on House Joint Resolution No. 23 be added as co-prime sponsors with the Sevier and Blount County delegation listed first and second, which motion prevailed.

Rep. Lollar moved that all members voting aye on House Joint Resolution No. 20 be added as co-prime sponsors with the Shelby County delegation listed first listed first, which motion prevailed.

Rep. Butt moved that the Maury County delegation be first listed first on House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 be added as co-prime sponsors with, which motion prevailed.

Rep. Camper moved that all members be added as co-prime sponsors on House Joint Resolutions Nos. 21 and 22 with Shelby County delegation listed first, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 0

Representatives voting aye were: Akbari, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lovell, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**PRESENT IN CHAMBER**

Rep. Turner was recorded as being present in the Chamber.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on the **Consent Calendar** and have this statement entered in the Journal: Rep. Turner. Rep.

**ANNOUNCEMENTS**

**REPORTS FILED**

The Clerk announced the Report of the Joint Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of the Treasury has been filed with the Clerk's Office and is available for review.

**SPONSOR EXCLUSION**

Pursuant to the signed Sponsor Exclusion form, when a motion is made to add all members voting in the affirmative as co-prime sponsors to any bill or resolution on the House floor, the following members request that their names not be added without their own signatures, and that this is effective until the adjournment of the 2017 annual session of the 110th General Assembly: Reps: Butt, Holt, Pody and Ragan.

**ENGROSSED BILLS  
January 11, 2017**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23.

GREG GLASS, Chief Engrossing Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 93

Representatives present were Akbari, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Gravitt, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lovell, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

**RECESS**

On motion of Rep. Casada, and pursuant to Senate Joint Resolution 7, the House stood in a brief recess to prepare for the Joint Convention, at the conclusion of which the House stood in recess until 9:00 a.m., Thursday, January 12, 2017.



**IN JOINT CONVENTION  
ELECTION OF CONSTITUTIONAL OFFICERS  
ETHICS COURSE REQUIREMENT**

The hour having arrived, set by Senate Joint Resolution No. 7, the House and Senate met in Joint Convention for the purpose of the election of the Constitutional Officers.

Mr. President McNally called the Joint Convention to order pursuant to Senate Joint Resolution No. 7.

Senator Gardenhire was recognized to introduce Commander Timothy White who led the Joint Convention in prayer.

Senator Norris moved to dispense with the Senate Roll Call, which motion prevailed.

Representative Casada moved to dispense with the House Roll Call, which motion prevailed.

The Clerk of the Senate read Senate Joint Resolution No. 7 authorizing the Joint Convention.

Mr. President McNally declared the first order of business was to adopt the Report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of the Treasury.

**REPORT OF THE SELECT COMMITTEE TO REVIEW THE AUDITS AND OPERATIONS OF  
THE COMPTROLLER OF THE TREASURY AND THE DEPARTMENT OF TREASURY**

On January 10, 2017 the select committee appointed by the Speakers of the Senate and the House of Representatives, pursuant to Tennessee Code Annotated, Sections 8-4-102 and 8-5-102, to review the audits and operations of the Comptroller of the Treasury and the Department of the Treasury met in Room 12 of the Legislative Plaza. The select committee was composed of Representative Charles Sargent, Representative Curtis Johnson, Representative Glen Casada, Representative Craig Fitzhugh and Senator Lee Harris, Senator Jack Johnson, Senator Mark Norris, and Senator Bo Watson, who served as chairman. A quorum was present.

Treasurer David H. Lillard, Jr. and Comptroller Justin P. Wilson presented the following information to the committees:

1. An audit report of the Comptroller of the Treasury, dated January 2017
2. An audit report of the Department of the Treasury for the fiscal year ended June 30, 2016
3. A report entitled "State of Tennessee Comptroller of the Treasury Department of Audit Quality Control Review for the period 7/1/2015 through 6/30/2016" conducted under the direction of the National State Auditors Association.

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Senator Norris moved that the committee accept the audits of the Comptroller of the Treasury and the Department of the Treasury as being properly conducted and in compliance with all laws and to report such action to the Senate and House of Representatives. Representative Sargent seconded the motion. The motion carried unanimously.

There being no further business, the committees adjourned, sine die.

/s/ Chairman Senator Bo Watson

Senator Watson moved, pursuant to Tennessee Code Annotate Sections 8-4-102 and 8-5-102, that the Joint Convention adopt the report of the Select Committee to Review the Audits and Operations of the Comptroller of the Treasury and the Department of the Treasury.

Representative Casada seconded the motion, which motion prevailed.

**ELECTION OF SECRETARY OF STATE**

Mr. President McNally declared the next order of business was the election of the Secretary of State and that nominations were in order.

Senator Watson nominated the Honorable Tre Hargett of Sumner County.

Senator Haile seconded the nomination of the Honorable Tre Hargett.

Representative Keisling moved that nominations cease and that the Honorable Tre Hargett be elected by acclamation, which motion prevailed.

President McNally declared the Honorable Tre Hargett duly, legally, and constitutionally elected Secretary of State for the ensuing four years.

President McNally appointed the following committee to escort the Honorable Tre Hargett to the Well of the House: Senators Bowling, Gresham and Roberts; Representatives Lamberth, Rogers, and White of Shelby. Representative Lamberth served as the Chair of the Committee.

**OATH OF OFFICE**

The Oath of Office was administered to Mr. Hargett by the Honorable Chief Justice Jeffery S. Bivins.

Secretary Hargett expressed his appreciation to the General Assembly.

**ELECTION OF THE COMPTROLLER OF THE TREASURY**

Mr. President McNally declared the next order of business was the election of the Comptroller of the Treasury and that nominations were in order.

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Senator Dickerson nominated the Honorable Justin P. Wilson of Davidson County.

Representative McDaniel seconded the nomination of the Honorable Justin P. Wilson.

Senator Crowe moved that nominations cease and that the Honorable Justin P. Wilson be elected by acclamation, which motion prevailed.

President McNally declared the Honorable Justin P. Wilson duly, legally and constitutionally elected Comptroller of the Treasury.

President McNally appointed the following committee to escort the Honorable Justin P. Wilson to the Well of the House: Senators Haile, Stevens and Overbey; Representatives Sargent, Camper and Hawk. Senator Overbey served as Chair of the Committee.

**OATH OF OFFICE**

The Oath of Office was administered to the Honorable Justin P. Wilson by the Honorable Chief Justice Jeffery S. Bivins.

Comptroller Wilson expressed his appreciation to the General Assembly.

**ELECTION OF STATE TREASURER**

Mr. President McNally declared the next order of business was the election of the State Treasurer and that nominations were in order.

Senator Norris nominated the Honorable David H. Lillard, Jr. of Fayette County.

Representative Casada seconded the nomination of David H. Lillard, Jr.

Senator Gresham moved that nominations cease and that the Honorable Mr. David H. Lillard, Jr. be elected by acclamation, which motion prevailed.

President McNally declared the Honorable David H. Lillard, Jr. duly, legally and constitutionally elected State Treasurer.

President McNally appointed the following committee to escort the Honorable David H. Lillard, Jr. to the Well of the House: Senators Gresham, Hensley and Norris; Representatives McCormick, Dunn and Lynn. Senator Norris served as Chair of the Committee.

**OATH OF OFFICE**

The Oath of Office was administered to the Honorable Mr. David H. Lillard, Jr. by the Honorable Chief Justice Jeffery S. Bivins.

Treasurer Lillard expressed his appreciation to the General Assembly.

**ETHICS COURSE REQUIREMENT**

Mr. President McNally declared the next order of business pursuant to Senate Joint Resolution No. 7 and for the purpose of fulfilling the Ethics requirement for the Members of the Legislative body pursuant to Tennessee Code Annotated § 3-6-113, Mr. Drew Rawlins Director of the Buearu of Ethics and Campaign Finance and Registry of Election Finance was recognized in the Well for the presentation of the ethics course.

Mr. President McNally relinquished the Chair to Madam Speaker Harwell.

Thereupon, the purpose for which the Joint Convention was called having been accomplished, Madam President Harwell declared the Joint Convention dissolved.